

## **TENTATIVE RULINGS**

**FOR: April 10, 2012**

**Please note that the court will strictly enforce filing deadlines for papers filed in support of and in opposition to law and motion matters, and may exercise its discretion to disregard a late filed paper, pursuant to California Rules of Court, rule 3.1300(d).**

**When calculating filing deadlines for papers to be filed within a certain number of court days from a hearing date, parties should exclude court holidays.**

**Court Reporting Services** - As a result of statewide budget reductions, official court reporters are no longer provided by the Court in proceedings for which such services are not legally mandated. These proceedings include civil law and motion matters. If counsel wish to have the hearing on their civil law and motion matter reported, they have two options:

- Elect to use the services of a private local court reporter that the Napa County Bar Association has arranged to be present for the duration of all scheduled law and motion hearing calendars. There is a fee paid by the party directly to the court reporter for this service, and arrangements for payment can be made on the day of the hearing. For further information about the Bar Association program including fees, [click here](http://napacountybar.org/court_reporting.php) ([http://napacountybar.org/court\\_reporting.php](http://napacountybar.org/court_reporting.php))
- Arrange for a private court reporter of their choosing to be present.

Attorneys or parties should confer with each other to avoid having more than one court reporter present for the same matter.

### **PROBATE CALENDAR – Dept. B (Historic Courthouse)**

**Estate of Houghton**

**26-55977**

AMENDED FIRST AND FINAL ACCOUNT AND REPORT OF ADMINISTRATOR;  
PETITION FOR SETTLEMENT, FOR FEES, FOR FINAL DISTRIBUTION AND FOR  
EXONERATION OF BOND

**TENTATIVE RULING:** GRANT PETITION, INCLUDING FEES AND/OR  
COMMISSIONS AS PRAYED.

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**In re Bloom Rev. Trust**

**26-58453**

PETITION TO DETERMINE EXISTENCE OF TRUST AND TO CONFIRM  
BEATRICE LOUELLA BLOOM AS SUCCESSOR TRUSTEE OF TRUST

**APPEARANCE REQUIRED**

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**In re Greenfield name change petition**

**26-58375**

PETITION FOR CHANGE OF NAME

**TENTATIVE RULING:** Notice has been properly published and no written objections have been filed. The petition for name change shall therefore be GRANTED without need for appearance.

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**In re Kasten Trust**

**26-56544**

ACCOUNT AND REPORT OF TRUSTEE; PETITION FOR SETTLEMENT OF  
ACCOUNT AND FOR APPROVAL OF FEES

**TENTATIVE RULING:** The petition is GRANTED, and the settlement, attached as Exhibit 3 to the supplemental document filed on April 6, 2012 is hereby approved by the court.

**CIVIL LAW & MOTION – Dept. B (Historic Courthouse)**

**Olympus-Calistoga, LLC v.**

**Taisei Construction Corp., et al.**

**26-40553**

TAISEI CONSTRUCTION CORPORATION'S MOTION FOR GOOD FAITH  
SETTLEMENT DETERMINATION

**TENTATIVE RULING:** The motion is unopposed and the settlement amount appears to be within the *Tech-Bilt* ballpark. The motion is, therefore, GRANTED as prayed.

**PROBATE CALENDAR – Dept. C (Historic Courthouse)**

**In re P. Wiloth Special Needs Trust**

**26-58510**

PETITION FOR AUTHORITY TO ESTABLISH SPECIAL NEEDS TRUST

**TENTATIVE RULING: GRANT PETITION**

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**In re N. Wiloth Special Needs Trust**

**26-58511**

PETITION FOR AUTHORITY TO ESTABLISH SPECIAL NEEDS TRUST

**TENTATIVE RULING: GRANT PETITION**

**CIVIL LAW & MOTION – Dept. C (Historic Courthouse)**

**In re Ochoa name change petition**

**26-58380**

PETITION FOR CHANGE OF NAME

**APPEARANCE REQUIRED**

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**In re Mejia de Grande name change pet.** **26-58086**

PETITION FOR CHANGE OF NAME

**TENTATIVE RULING:** Notice has been properly published and no written objections have been filed. The petition for name change shall therefore be GRANTED without need for appearance.

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**LVN Corp. v. Burdette**

**12UD00042**

DEFENDANT’S DEMURRER TO COMPLAINT

**TENTATIVE RULING:** The demurrer to the unlawful detainer complaint is OVERRULED. The perfunctory demurrer does not explain in what manner the complaint is allegedly uncertain. Defendant shall file an answer within 5 days.